

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NIKKI PENNINGTON,	:	
	:	
Plaintiff/Counterdefendant	:	
	:	
v.	:	
	:	
WELLS FARGO BANK, N.A.	:	CIVIL ACTION
<i>SUCCESSOR TO WELLS FARGO HOME</i>	:	
<i>MORTGAGE</i>	:	NO. 11cv2896
	:	
Defendant/Counterclaimant	:	
	:	
v.	:	
	:	
JEFFREY PENNINGTON	:	
	:	
Counterdefendant.	:	

ORDER

AND NOW, this 3rd day of September, 2013, upon careful consideration of defendant/counterclaimant Wells Fargo Bank, N.A.’s, successor to Wells Fargo Home Mortgage (“Wells Fargo”), motion for summary judgment (the “Motion”) (Doc. No. 90), no response thereto and for good cause shown, **IT IS HEREBY ORDERED** that the Motion is **GRANTED**.

IT IS FURTHER HEREBY ORDERED that:

1. Judgment is entered in favor of Wells Fargo and against the plaintiff Nikki Pennington a/k/a Nikki T. Frazier with respect to Nikki Pennington’s claim for quiet title;
2. With respect to Wells Fargo’s counterclaim for breach of contract, judgment is entered in favor of Wells Fargo and against Nikki Pennington in the amount of \$162,844.60 plus additional interest after May 22, 2013, through the date of judgment is entered at the rate of \$21.29 per day, plus additional expenses available in accordance with the terms of the Mortgage

and Note, and costs of suit, and;

3. With respect to Wells Fargo's counterclaim for in rem mortgage foreclosure, an in rem judgment in mortgage foreclosure is hereby entered in favor of Wells Fargo and against counterdefendants Nikki Pennington and Jeffrey Pennington in the amount of \$162,844.60 plus additional interest after May 22, 2013, through the date of judgment is entered at the rate of \$21.29 per day, plus additional expenses allowed in accordance with the terms of the Mortgage and Note and costs of suit, along with a judgment for foreclosure and sale of the real property located at 4711 Greene Street, Philadelphia, Pennsylvania 19144.

4. The Clerk of Court shall mark this action **CLOSED** for statistical purposes.

s/ William H. Yohn Jr.
William H. Yohn Jr., Judge